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PTO/SB/21 (12-97)

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·	Application Number	10/551,020	
	Confirmation Number		the filler date of Fahrence 9
TRANSMITTAL	Filing Date	with an effective filing date of February 8, 2005	
FORM	First Named Inventor	Josef BADER	
(to be used for ell correspondence after initial filing)	Group Art Unit	3655	
	Examiner Name	Ha Dinh HO	Fax: (571) 273-8300
Total No. of Pages in this Submission: 6	Attorney Docket Number	ZAHFRI P885US	
ENCLOSURES (check all that apply)			
☐ Fee Transmittal Form	☐ Assignment papers (for an Application)	to Group U	
☐ Fee attached - Check \$	☐ Drawing(s) —Annotated Sheet(s) []  Replacement Sheet(s) []		Appeal Communication to Board of Appeals and Interferences []
☐ Amendment/Response □	☐ Licensing-related Papers		☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ After Final	□ Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) □ To Convert a Provisional Petition [] □ Power of Attorney, Revocation Change of Correspondence Address . [] □ Terminal Disclaimer		☐ Proprietary Information
☐ Affidavits/declaration(s)			☐ Status Letter □
☐ Extension of Time Request [] (in Duplicate)			Additional Enclosure(s)
☐ Express Abandonment Request			(please identify below):
☐ Information Disclosure Stmt []			Request for Consideration of Timely Filed Information Disclosure
☐ Certified Copy of Priority	☐ Small Entity Statement	o	Statement- 2 pg.  Copy of the returned postcard- 1 pg.
☐ Response to Missing Part/s	☐ Request for Refund	D	Copy of the submitted Statement and
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53			PTO/SB/08A/08b- 2 pg.
REMARKS			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
	Michael J. Bujold Reg. No. 32,018		
DAVIS & BUJO	DAVIS & BUJOLD, P.L.L.C. CUSTOMER NO. 020210		
Signature	( hold Tyll		
Date May 22, 200	May 22, 2009		
CERTIFICATE OF TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 22, 2009			
Signature La Date: May 22, 2009 (aag)			

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PATENT APPLICATION MAY 2 2 2009

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

05/22/2009 15:33 FAX 603 226 7499

Josef BADER

Serial no.

Confirmation No.

10/591,028

Filed

with an effective filing date of February 8, 2005

For

DEVICE FOR PREVENTING WOBBLING OF THE PICK-UP GEARS IN A GEARBOX WITH

TWO LAYSHAFTS

Group Art Unit

3655

Examiner Docket

Ha Dinh HO

ZAHFRI P885US

The Commissioner for Patents U.S. Patent & Trademark Office P. O. Box 1450 Alexandria, VA 22313-1450

#### REQUEST FOR CONSIDERATION OF TIMELY FILED INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Upon reviewing this application, it has come to the attention of the undersigned that all of the prior art which was timely and properly made of record in this case has not been substantively considered by the Examiner. Specifically, the Applicant prepared and timely filed an Information Disclosure Statement, along with PTO/SB/08a/08b and copies of the necessary citations (a copy of the returned postcard, the submitted Statement and PTO/SB/08A/08b is attached, if copies of the citations are again required, please immediately contact the undersigned). The Examiner has not confirmed to the undersigned, by signing and returning a copy of PTO/SB/08a/08b, that such references were substantively considered. Accordingly, the Applicant respectfully requests the Examiner consider the same at this time.

It is submitted that the allowed claims are distinguishable over all of the prior art of record, including these references which were not previously considered. However, in the event that the Examiner believes further prosecution of this application is warranted in view of this newly considered art, the Examiner is invited to withdraw this case from issue and provide the Applicant with a further action on the merits.

→ USPTO CENTRAL

#### 10/591,028

As all of this prior art was previously made of record in this case in a timely manner, it is respectfully submitted that Petition and/or an official fee is not necessary and the Examiner is required to substantively consider the same at this time. If any further action on the part of the Applicant is required in order for the Examiner to substantively consider this art, the Examiner is respectfully requested to contact the undersigned attorney immediately.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

Michael J. Bujdet, Reg. No./32,018

Customer No. 020210

Davis & Bujold, P.L.L.

112 Pleasant Street

Concord, NH 03301-2931

Telephone 603-226-7490

Facsimile 603-226-7499

E-mail: patent@davisandbujold.com

In re Appln. of:

Josef BADER

Serial No.:

10/591,028

Filed:

with an effective filing date of February 8, 2005
DEVICE FOR PREVENTING WOBBLING OF

THE PICK-UP GEARS IN A GEARBOX WITH

TWO LAYSHAFTS

Group Art Unit:

3682

Examiner:

Docket:

ZAHFRI P885US

RECEIVED:

Transmittal;

Information Disclosure Statement-1 pg.;

PTO/SB/08a-1 pg.;

German Novelty Search Report-5 pgs.;

3 Citations

Ifb:4/09/07

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PATEN. APPLICATION

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of

Josef BADER

MAY 2 2 2009

Serial no.

10/591,028

Filed For

4/09/07

with an effective filing date of February 8, 2005 DEVICE FOR PREVENTING WOBBLING OF THE PICK-UP GEARS IN A GEARBOX WITH

THE PICK-UP GEARS IN A GEARBOX WITTWO LAYSHAFTS

2000

Group Art Unit

3682

. :

Examiner Docket

ZAHFRI P885US

The Commissioner for Patents U.S. Patent & Trademark Office P. O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with this matter, the Applicant hereby attaches United States Patent Office Form PTO/SB/08a and copies of the information listed in the enclosed PTO/SB/08a form, unless otherwise indicated on such Form.

The concise explanation, concerning the now submitted foreign language documents, is found on the submitted German Novelty Search Report (see MPEP § 609). Also enclosed, please find an English translation of the concise explanation, i.e., the category of relevance as asserted by the **German** searching authority, concerning the relevance of each foreign language document.

As permitted by 37 CFR 1.98, a copy of each cited U.S. patent and/or U.S. patent application publication is not being supplied. If the United States Patent and Trademark Office requires a copy of any of the cited U.S. patent and/or U.S. patent application publication, please notify the undersigned of the same.

Please note that EP-03 61 686 A1 and JP-59-1 75 672 A1 were cited in a previously filed Information Disclosure Statement and thus are not listed on the accompanying PTO/SB/08a/b form

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

Michael J. Bujold, Beg. No. 32,018

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